

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

ALKIS NAKOS  
KOSMAS KOUSTAS

No. 1:14-cr-93-01/02-LM

**UNITED STATES' ASSENTED TO MOTION TO CONTINUE THE ORAL ARGUMENT  
HEARING DATE INVOLVING DEFENDANTS MOTIONS TO SUPPRESS**

The United States of America hereby requests that the Honorable Court continue the February 17, 2015, oral argument hearing date involving motions to suppress filed by defendants Alkis Nakos and Kosmas Koustas. In support thereof, the United States represents: (1) that on January 7, 2015, counsel for defendant Nakos, Robert Carey, Esquire, filed two separate motions to suppress evidence, to which the United States filed a consolidated objection on January 30, 2015; (2) that on January 12, 2015, counsel for defendant Koustas, Michael Iacopino, Esquire, filed two separate motions to suppress evidence, to which the United States has not yet filed an objection because the parties are attempting to negotiate a plea agreement which will make the motions to suppress moot; (3) that on January 26, 2015, Robert Carey, Esquire, filed a motion to withdraw from the representation of defendant Nakos based upon the deterioration of the attorney-client relationship; (4) that on February 13, 2015, the Court, with the United States' assent, granted Attorney Carey's motion to withdraw from the representation of defendant Nakos; (5) that replacement counsel for defendant Nakos has not been appointed and will not be

appointed before the scheduled date of the oral argument on defendant Nakos' motions to suppress, February 17, 2015; and (6) that because defendant Koustas has been provided with a plea agreement from the United States, and because defendant Koustas' acceptance of the terms contained in the plea agreement will render moot any suppression issues, the conducting of an oral argument on February 17, 2015, involving defendant Koustas would be premature and consist of a waste of judicial resources.

Accordingly, the United States respectfully requests that the Honorable Court continue the February 17, 2015, oral argument hearing date. Counsel for defendant Koustas, Michael Iacopino, Esquire, assents to the United States' request. Replacement counsel for defendant Nakos has not been appointed and therefore cannot assent. However, Robert Carey, Esquire, prior counsel for defendant Nakos assents to the rescheduling of the February 17, 2015, oral argument hearing date.

Dated: February 13, 2015.

Respectfully submitted,

JOHN P. KACAVAS  
United States Attorney

By: /s/ Terry L. Ollila  
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**CERTIFICATE OF SERVICE**

I hereby certify that the United States' Motion was served on the following persons on this date and in the manner specified herein: Electronically Served Through ECF: Michael Iacopino, Esquire, and Robert Carey, Esquire.

/s/ Terry L. Ollila  
Terry L. Ollila  
Assistant United States Attorney

The motion of the United States is:

GRANTED  DENIED

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Landya B. McCafferty,  
United States District Court Judge

Dated: February \_\_, 2015.